

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Criminal No. 09-383 (JRT/JJG)

Plaintiffs,

v.

**PRELIMINARY ORDER OF
FORFEITURE**

MICHAEL DEAN TINGELSTAD,

Defendant.

James Alexander and Tricia Tingle, Assistant United States Attorneys,
OFFICE OF THE UNITED STATES ATTORNEY, 300 South Fourth
Street, Suite 600, Minneapolis, MN 55415, for plaintiff.

Andrea George, Assistant Federal Defender, **OFFICE OF THE
FEDERAL DEFENDER**, 300 South Fourth Street, Suite 107,
Minneapolis, MN 55415, for defendants.

Based on the United States' motion for a Preliminary Order of Forfeiture; on the
Plea Agreement entered into between the United States and Defendant Michael Dean
Tingelstad; on the Court having found that certain property is subject to forfeiture
pursuant to 18 U.S.C. § 2253(a); and on the Court's determination that, based on the Plea
Agreement entered into by the defendant and based on all of the files and records of this
proceeding, the government has established the requisite nexus between such property
and the offense to which the defendant has pled guilty,

IT IS HEREBY ORDERED that:

1. The motion of the United States for a preliminary order of forfeiture is
GRANTED;

2. The following property is forfeited to the United States pursuant to 18 U.S.C. § 2253(a):

- a. Maxtor Hard drive, serial number C809294A;
- b. Seagate External Hard Drive, serial number 5QF3JDGF;
- c. Generic Computer tower with no visible serial number;
- d. Canon Power Shot D600 Digital Camera, serial number 2621110967;
- e. Lexar 256MB jump drive; and
- f. all CDs/DVDs containing child pornography;

3. The Attorney General or his authorized designee may seize the foregoing property and maintain custody and control of the property pending the entry of a Final Order of Forfeiture;

4. The United States shall, pursuant to 21 U.S.C. § 853(n)(1), as incorporated by 18 U.S.C. § 2253(b), publish and give notice of this Order and its intent to dispose of the foregoing property in such manner as the Attorney General may direct;

5. Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B), this Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing, and shall be made a part of the sentence and included in the judgment;

6. Following the Court's disposition of all petitions filed pursuant to 21 U.S.C. § 853(n)(2) or, if no petitions are filed, following the expiration of the time period specified within which to file such petitions, the United States shall have clear title to the foregoing property and may warrant good title to any subsequent purchaser or transferee; and

7. This Court shall retain jurisdiction to enforce this Order, and to amend it as necessary pursuant to Fed. R. Crim. P. 32.2(e).

DATED: May 10, 2010
at Minneapolis, Minnesota.

s/ John R. Tunheim
JOHN R. TUNHEIM
United States District Judge